

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Returnable May 7, 2015
2:00 P.M. , Room 601

In Re:

Said Harrati

AFFIRMATION IN SUPPORT OF
DEBTOR'S OBJECTION TO CLAIM
OF EASTERN SAVINGS BANK

CHAPTER 13

Debtor

14-11695-jlg

**ATTORNEY'S AFFIRMATION IN SUPPORT OF DEBTOR'S
OBJECTION TO CLAIM OF EASTERN SAVINGS BANK**

Said Harrati ("the Debtor") by his attorney, Joseph A. Altman, Esq., hereby states as follows:.

1. I am an attorney duly admitted to practice in the State of New York and in the Southern District of New York and I submit this Affirmation under penalty of perjury and I am fully familiar with the facts and circumstances surrounding this case.
2. The Debtor filed a petition for relief under Chapter 13 of the U.S. Bankruptcy Code on June 2, 2014.
3. The Debtor is the owner of a two (2) family house, with one (1) store, one (1) office, and 3 garages, located in the Bronx, New York to wit: 574 Morris Park Avenue, Bronx, New York 10465 ("the Property"). This property is also the Debtor's primary residence, which is occupied by the Debtor's wife and seven (7) children.
4. The Debtor's interest in the subject property is subject to a first mortgage lien in favor of Eastern Savings Bank in the alleged approximate sum of \$607,677.35 (see Eastern's Notice of Claim) attached as Exhibit "A", with the Debtor objecting to the amount of said claim, which is based upon a Decision and Order of Justice Guzman. That as per Exhibit "B", the

Debtor filed a Notice of Appeal and a Pre-Argument Statement in State Court, with respect to an adverse Decision and Order, which relates to the sole creditor's claim and objects to the amount of said claim and the calculations of the Referee.

5. That as per Exhibit "B", the Debtor filed a Notice of Appeal and a Pre-Argument Statement in State Court, with respect to an adverse Decision and Order, which relates to the sole creditor's claim.
6. The claim of Eastern Savings Bank can only be determined by the Appellate Division, 1st Dept., once the Appeal is perfected.

WHEREFORE, the Debtor hereby objects to said claim, as it is believed to exceed the amount actually due and owing.

Dated: May 5 , 2015
Bronx, New York

s/s Joseph A. Altman, Esq.
Joseph A. Altman, Esq.
Joseph A. Altman, P.C.
Attorney for Debtor
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